

REMARKS

This is a full and timely response to the outstanding final Office Action mailed December 15, 2003. Applicants respectfully request consideration of the foregoing amendments submitted with the accompanying request for continued examination (RCE). Upon entry of the amendments in this response, claims 1 – 5, 7 – 11, and 13 – 18 remain pending. Applicants amended independent claims 1, 7, and 13 as indicated above. Reconsideration and allowance of the application and all pending claims are respectfully requested.

I. Claims 1 – 5, 7 – 11, and 13 – 18 are Patentable Over Art of Record

The Office Action rejects claims 1 – 5, 7 – 11, and 13 – 18 under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 5,946,486 to Pekowski (“the ‘486 patent”). As indicated above, Applicants amended independent claims 1, 7, and 13. Applicants respectfully assert that this rejection should be withdrawn and all claims be allowed for at least the reason that all claims include features/limitations/elements that are not disclosed, taught, or suggested by the ‘486 patent.

Amended independent claim 1 recites “a generic interception communication interface having at least one intercept event send handler.” Amended independent claims 7 and 13 also recite “a generic interception communication interface having at least one intercept event send handler.”

Applicants respectfully assert that the ‘486 patent fails to disclose, teach, or suggest the feature/limitation/element of intercept event send handlers in the generic interception communication interface. Rather, the ‘486 patent merely discloses the types of problematic shared-library implementations noted in Applicants’ disclosure. In this regard, Applicants respectfully assert that the shadow dynamic link library (DLL) 155 and 725 disclosed in the

'486 patent is clearly different than the method of independent claim 1 and the systems of independent claims 7 and 13.

In shared-library implementations, the intercepting of API events requires a large amount of tools-specific instrumentation code or relies upon the behavior of shared library dynamic symbol binding. Generally, the characterization code is contained in the shadow DLL, which replaces the actual shared library for which the characterization is needed. The characterization code is for showing the right information about events. Because the characterization code is contained in the shadow DLL, another shared communication library is needed to accomplish the communication between the API library and the collection tool. Applicants have characterized these types of implementations and described their inherent disadvantages in the specification. See p. 1, line 13 – p. 2, line 16; p. 11, line 7 – p. 12, line 2; and p. 13, ll. 3 – 11.

Unlike the systems disclosed in the '486 patent, the methods and systems of independent claims 1, 7, and 13 employ a generic interception communication interface which includes at least one intercept event send handler. Applicants respectfully assert that the '486 patent clearly does not disclose, teach, or suggest this feature/limitation/element. For at least this reason, Applicants respectfully submit that independent claims 1, 7, and 13 are patentable over the '486 patent. Furthermore, Applicants respectfully submit that dependent claims 2 – 5 (which depend from independent claim 1), dependent claims 8 – 11 (which depend from independent claim 7), and dependent claims 14 – 18 (which depend from independent claim 13) are patentable over the '486 patent for at least the reason that they include the limitations of the corresponding base claim. Accordingly, Applicants respectfully request that the rejection of claims 1 – 5, 7 – 11, and 13 – 18 be withdrawn and the claims be allowed.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been rendered moot, and that pending claims 1 – 5, 7 – 11, and 13 – 18 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

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& RISLEY, L.L.P.**

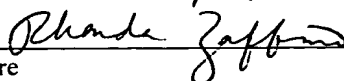


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